Crl. Rev. 31/04

Hon'ble Irshad Hussain, J.

Heard Sri L.K. Tiwari learned counsel for revisionist and Sri Pramod Bailwal learned counsel for respondent no.2.

This is a criminal revision under section 19(4) of the Family Court Act against the impugned order dated 28.11.2003 granting maintenance allowance @ Rs. 5,000/- per month to the wife-respondent no.2.

Without going into the merit of the claim of the parties and considering the salary certificate of the revisionist (annexure-2 to the revision) it is directed that the petitioner shall pay Rs. 3,000/- as maintenance allowance to his wife-respondent no.2 w.e.f. 28.11.2003 and the arrears shall be paid within a period of 15 days from today. It is further directed that the Principal Judge, Family Court shall decide the application for maintenance allowance under section 125 of the Code of Criminal Procedure finally on merit after giving opportunity to both the parties to adduce their evidence within a period of two months from today.

With this, the revision is finally disposed of.

(Irshad Hussain, J.)

Dated 26.2.2004
Rawat